

# Notice of Allowability

Application No.

10/613,151

Examiner

Melissa M. Chojnacki

Applicant(s)

GOLDSACK, PATRICK

Art Unit

2164

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 10/24/2007.
2. ☒ The allowed claim(s) is/are 15-16, and 18-27.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

  
**SAM RIMELL**  
**PRIMARY EXAMINER**

## DETAILED ACTION

### Remarks

1. In response to the Appeal Brief filed on October 24, 2007, claims 15-16, and 18-27 are presently pending in the application.

### *Allowable Subject Matter*

2. Claims 15-16, and 18-27 are allowed over prior art made of record.

3. The following is an examiner's statement of reasons for allowance:

The Appellants' arguments in the Amendment filed on October 24, 2007, have been fully considered and are found persuasive.

The prior art of record Fatzinger et al. (U.S. Patent No. 5,491,819), Tarin (U.S. Patent No. 6,009,432) and Brookler (U.S. Patent No. 6,754,666), does not teach, disclose or suggest:

A computer program product within a computer readable medium for combining first and second attribute sets± each comprising at least one attribute and value pair comprising a named attribute -is assigned a value that comprises one of a end value and a further attribute set in addition to the first and second attribute sets; the computer program product comprising: instructions arranged to control the operation of a computing apparatus running the program product to cause the apparatus to carry out a merge operation to thereby generate a new attribute set by applying to the first and

second attribute sets, as items-to-be-merged, a merge operator by which: where at least one of the items-to-be-merged is a said end value, the value of the merged items is the value of one of the items-to-be-merged; and where both first and second attribute sets, as items-to-be-merged are attribute sets, the value of the merged items comprises: the attribute and value of attributes that occur in only one of the items-to-be-merged, and attribute and value pairs for attributes, occurring in both items-to-be-merged with the value of each such pair being the value resulting from the application of the merge operator to the values of the attribute appearing in each item-to-be-merged, the merge operator being recursively applied as required to merge the attribute values, as claimed in independent claim 15.

Claims 16, 18-26 are allowed because they are dependent on independent claim 15.

A Computer apparatus for combining first and second attribute sets each comprising at least one attribute and value pair by which a named attribute is assigned a value that comprises one of a end value and a further attribute set in addition to the first and second attribute sets; the apparatus comprising a set merging arrangement for carrying out a merge operation to generate a new attribute set, the set merging arrangement comprising: merge operator means for applying a merge operator to items to be merged, and control means for controlling the carrying out of said merge operation, the control means being arranged to apply said first and second attribute sets, as items to be merged, to the merge operator means; the merge operator means

comprising: first means operative, where at least one of the items to be merged is a said end value, to cause the value of the merged items to be the value of one of the said items to be merged; and second means, operative where both first and second attribute sets, as items to be merged are attribute sets, to cause the value of the merged items to comprise: the attribute and value of attributes that occur in only one of the items-to-be-merged, and attribute and value pairs for attributes, occurring in both items to be merged with the value of each such pair being the value resulting from the application of the merge operator to the values of the attribute appearing in each item to be merged, the control means causing the merge operator to be recursively applied by merge operator means as required to merge the attribute values, as recited in independent claim 27.

4. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

**Conclusion**

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mellissa M. Chojnacki whose telephone number is (571) 272-4076. The examiner can normally be reached on 9:00am-5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Rones can be reached on (571) 272-4085. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

January 18, 2008  
Mmc

  
**SAM RIMELL**  
**PRIMARY EXAMINER**